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Atty. Docket No. KIK01 P-322A

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

December 30, 2004
Date

Melanie S. Jernberg
Melanie S. Jernberg

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 2863
Examiner : Xiuqin Sun
Applicant : Kenichiro Kobayashi et al.
Appln. No. : 10/737,336
Filing Date : December 16, 2003
Confirmation No. : 6152
For : METHOD AND APPARATUS FOR DIRECT IMAGE PICK-UP OF GRANULAR SPECK PATTERN GENERATED BY REFLECTING LIGHT OF LASER BEAM

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

PETITION UNDER 37 C.F.R. §1.55(c) TO ACCEPT UNINTENTIONALLY
DELAYED PRIORITY CLAIM

Pursuant to 37 C.F.R. §1.55(c), Applicants respectfully request that the attached priority claim be entered on the grounds that the delay in making the entire priority claim was unintentionally delayed.

The above-identified patent application was filed on December 16, 2003 as a continuation of U.S. Patent Application No. 09/838,905, filed on April 20, 2001 entitled METHOD AND APPARATUS TO MEASURE AMOUNT OF MOVEMENT USING GRANULAR SPECK PATTERN GENERATED BY REFLECTING LASER BEAM. However, Applicants unintentionally did not include a priority claim to Japanese Patent Application Serial No. 2000-166833, filed on April 26, 2000.

Applicant : Douglas C. Ball et al.
Appln. No. : 10/659,662
Page : 2

Applicants hereby petition for acceptance of the unintentionally delayed submission of the priority claim. The entire delay in making the priority claim until the filing of a grantable petition under 37 C.F.R. §1.55(c) was unintentional.

In support of Applicants' petition, Applicants have enclosed a check in the amount of \$1370.00.

Please charge any additional fees or credit any overpayment to Deposit Account No. 16-2463. A duplicate copy of this document is attached.

Favorable action on the merits of this petition is earnestly solicited.

Respectfully submitted,
KENICHIRO KOBAYASHI ET AL.

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

12/30/04
Date

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Commissioner for Patents
P.O. Box 1450
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Dear Sir:

CLAIM OF PRIORITY

Applicants hereby claim the priority benefits under the provisions of 35 U.S.C. §119, basing said claim of priority on Japanese Patent Application Serial No. 2000-166833, filed April 26, 2000.

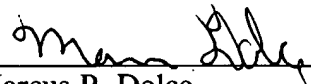
In accordance with the provisions of 35 U.S.C. §119 and 37 CFR §1.55(a), a certified copy of the above listed Japanese patent application was submitted in the parent of the present application, Serial No. 09/838,905 entitled METHOD AND APPARATUS TO MEASURE AMOUNT OF MOVEMENT USING GRANULAR SPECK PATTERN GENERATED BY REFLECTING LASER BEAM.

Respectfully submitted,
KENICHIRO KOBAYASHI ET AL.

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

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